

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of:	Jeannette Whitcomb	Confirmation No.:	4994
Serial No.:	10/758,683	Art Unit:	1648
Filed:	January 14, 2004	Examiner:	Parkin, Jeffrey S.
For:	Means and Methods for Monitoring Non-nucleoside Reverse Transcriptase Inhibitor Antiretroviral Therapy and Guiding Therapeutic Decisions in the Treatment of HIV/AIDS	Attorney Docket No.:	11068-078-999

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES**

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

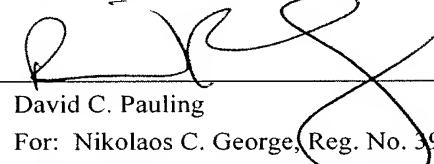
Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision dated July 25, 2008 of the Primary Examiner finally rejecting claims 83-86 of the above-identified application.

The item(s) checked below are appropriate:

1. A request for an extension of time for responding to the final rejection for 3 month(s):
 was filed on .
 is submitted herewith.
2. A timely response to the final rejection has been filed.
3. A fee in the amount of **\$540.00** is:
 Required.
 Not required (Fee paid in prior appeal).
4. Applicant has qualified for the 50% reduction in fee for an independent inventor, non-profit organization or small business concern and a fee in the amount of **\$270.00** is:
 Required.
 Not required (Fee paid in prior appeal).
5. Please charge the required fee, if any, to Jones Day Deposit Account No. 50-3013 (reference order 949677-999076).

Respectfully submitted,


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Date: January 23, 2009